

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Aquatic Resources  
Honolulu, Hawaii 96813

July 25, 2008

Board of Land  
and Natural Resources  
Lihue, Kauai

Request for Approval of a Special Activity Permit for Dr. Bruce Anderson, President of The Oceanic Institute, and Designated Assistants to Conduct Various Scientific Research Activities in Certain State Marine Waters

Submitted herewith for your consideration and approval is a Special Activity Permit as authorized in Section 187A-6, Hawaii Revised Statutes (HRS). Section 187A-6 provides that the Department may issue permits no longer than one year (from date of issue) to any person to take aquatic life, possess or use fishing gear, or engage in any feeding, watching, or other such non-consumptive activity related to aquatic resources otherwise prohibited by law for scientific, educational, management, or propagation purposes, subject also to Chapter 195D and any other restrictions the Department deems desirable.

Such permits are usually sought by University researchers and their students, professional biologists, consultants, aquariums, or public and private school teachers to either collect aquatic life otherwise considered unlawful, or to use gear otherwise considered unlawful, primarily for the purposes of study or education. Dr. Anderson and The Oceanic Institute's designated assistants propose to conduct scientific research involving the take of various marine, estuarine, and freshwater species found within the State.

The Division of Aquatic Resources has reviewed the application for impact and made recommendations to conserve resources as well as to minimize impacts to those resources. Among other permit provisions, the Division will require an annual report at the end of the permit period to document the efforts of the collections or activities. This permit does not authorize any work in the Northwestern Hawaiian Islands.

RECOMMENDATION:

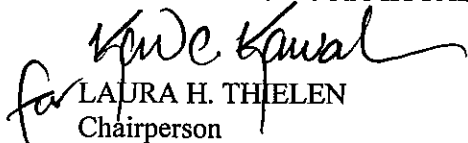
"That the Board approve a Special Activity Permit for Dr. Bruce Anderson, President of The Oceanic Institute, and Designated Assistants to Conduct Various Scientific Research Activities in Certain State Marine Waters."

Respectfully submitted,



DAN POLHEMUS  
Administrator

APPROVED FOR SUBMITTAL:

  
LAURA H. THIELEN  
Chairperson

State of Hawaii  
 Department of Land & Natural Resources  
 DIVISION OF AQUATIC RESOURCES  
 1151 Punchbowl Street, Room 330  
 Honolulu, Hawaii 96813

SPECIAL ACTIVITY  
 PERMIT No. SAP 2008-100

Date of Issue:

Expiration Date: 6/30/09

### SPECIAL ACTIVITY PERMIT

The Chairperson of the Department of Land and Natural Resources hereby grants permission for certain collection of organisms belonging to the people of Hawaii, under Section 187A-6, Hawaii Revised Statutes, and other applicable laws.

The Permittee is

Name: Dr. Bruce Anderson Address: 41-202 Kalaniana'ole Highway  
 Title: President Waimanalo, HI 96795  
 Affiliation: The Oceanic Institute

This permit is issued under the attached conditions, for the purpose of scientific research.

This permit authorizes the permittee (and any assistants designated on the final page(s) of the permit) to

**TAKE CATCH POSSESS KILL TRANSPORT**

aquatic life from the waters of the State as follows:

Common Name	Scientific Name	Maximum No. of Specimens	Collecting Location
Various marine, estuarine and freshwater fishes and invertebrates, including live rock as described on the attached list	- - -	See Attachment No. 1	State waters except as prohibited in Special Conditions section, page 3 of this permit

I. GENERAL CONDITIONS:

A. This permit does not make the Chairperson of the Department of Land and Natural Resources or the State of Hawaii liable in any way for any claim of personal injury or property damage to the permittee or assistants which may occur during collection activity authorized by this permit; moreover, the permittee and all assistants agree to hold the State harmless against any and all claims of personal injury, death or property damage resulting from activities of the permittee or any assistant.

B. This permit conveys a privilege to engage in only those activities under the jurisdiction of the Division of Aquatic Resources. The permittee is responsible for complying with all applicable County, State, and Federal requirements. The permit does not convey any privilege of access over or through private property.

C. The permittee and each assistant are individually responsible and accountable for their actions while conducting activities authorized under this permit; additionally, the permittee is responsible and accountable for the actions of the permittee's assistants.

D. This permit is not transferable or assignable. Any person whose name does not appear on this permit and is conducting any activity described herein is subject to prosecution for violation of State laws.

E. The permittee may request changes to the permit. Any such request to make changes to the permit must be made in writing and received by the DAR at least two weeks prior to the change. All personnel changes will require each individual to sign an "Attachment" stating that they have read, understood, and agree to abide by all general and special permit conditions. No change may be implemented without written approval from the Department/DAR.

F. The permittee may request to:

1. Add assistants to the permit by having each assistant sign an "Attachment" and send the document to DAR;
2. Add another permittee or be replaced by another permittee in the manner stated above; and
3. Change the activities allowed under this permit.

G. A copy of this permit must be carried by the permittee or assistant while performing collecting activities authorized by this permit.

H. This permit authorizes collection of organisms protected by Federal law only with prior appropriate Federal authority, which must be described on Page 1 of this permit (if applicable).

I. The permit is not to be used for nor does it authorize the sale of collected organisms

J. This permit expires on the date indicated on Page 1. Within one month of the expiration date, the permittee must return this permit to the Division of Aquatic Resources with complete information on all collecting done under this permit, on the Activity Report form provided as part of this permit.

K. The permittee and assistants agree to provide access to data obtained under authority of this permit upon request of the Division of Aquatic Resources, and to provide to the Division a copy of each report, published for distribution, prepared with data obtained under this permit. The permittee agrees to provide the Division of Aquatic Resources access to organisms obtained and held under this permit for on-site inspection.

L. A violation of any terms or condition of this permit or any violation of State law not covered by this permit may result in revocation of the permit and other penalties as provided by law. In addition, the Division may consider any such violation as grounds for denying any future permit applications.

M. The permittee will notify the Division of Aquatic Resources prior to the release and/or transfer of any organisms collected under the permit. The permittee will not release any organisms collected under this permit nor any organisms raised in a propagation facility under the authority of this permit, without the Division of Aquatic Resources' written approval.

## II. SPECIAL CONDITIONS

1. This Permit authorizes the possession and use of small mesh traps and nets, including throw nets; also the use of hook and line gear to take adult mullet for broodstock purposes and to exceed the limit of ten (10) adult mullet, if required, in the waters of the State except at the following Marine Life Conservation Districts (MLCDs), Shoreline Fisheries Management Areas (SFMA), Marine Life Refuge (MLRs), Public Fishing Areas (PFAs), Natural Area Reserves (NARs), Fishery Management Areas (FMAs) and other prohibited locations or areas that may be designated as such during the effective period of this permit. Up to 1,000 lbs of live rock may be taken subject to restrictions listed on Attachment No. 1.

## ---OAHU---

Hanauma Bay MLCD  
 Wahiawa PFA  
 Waikiki MLCD  
 Coconut Island MLR  
 Heeia Kea Wharf FMA  
 Kapalama Canal FMA  
 Diamond Head SFMA  
 Honolulu Harbor FMA  
 Ala Wai Canal FMA  
 Nuuanu Freshwater  
     Fish Refuge  
 Paiko Lagoon Wildlife  
     Refuge

## ---HAWAII---

Lapakahi Bay MLCD  
 Kealahou Bay MLCD  
 ---LANAI---  
 Manele-Hulopoe MLCD  
 Manele Harbor FMA  
 ---MOLOKAI---  
 Kauanakakai Harbor

## ---MAUI---

Kahului Harbor FMA  
 Honolulu-Mokuleia Bay MLCD  
 Molokini Shoal MLCD  
 Ahihi-Kinau NAR

## ---KAUAI---

Waimea Recreation Pier  
 Waimea Bay FMA  
 Kapaa Canal FMA  
 Waikaena Canal FMA  
 Kokee PFA  
 Ahukini Recreational  
     Pier FMA  
 Hanamaulu Bay FMA

Collecting and sampling activities are permitted at the Old Kona Airport MLCD, Kawaihae Harbor FMA, Puako Bay & Reef FMA, Wailuku River FMA, Wailoa River FMA, Hilo Bay FMA, Waiakea PFA, Waiakea PFA, Wailea Bay MLCD, and Kailua Bay FMA that are necessary for the DAR-SEMFISH project. Also, on Oahu at Waialua Bay FMA, Pokai Bay FMA, Haleiwa Harbor FMA and Pupukea MLCD to search for samples of moi and striped mullet that OI tagged and released. Discretion should be used to avoid conflict with fishermen or others during collecting activities at any location.

2. The use of any chemical substance is expressly prohibited under this permit. The primary permittee and designated assistants, however, may have in possession a reasonable amount of preservatives such as formalin or alcohol for preserving the specimens collected.
3. Flame Angelfish shall not be interbred with imported Flame Angelfish.
4. All water from quarantine and experimental culturing tanks will not be released into nearshore waters.
5. Division of Aquatic Resources personnel may conduct site inspections.

II. SPECIAL CONDITIONS, cont.

6. The primary permittee and designated assistants are required to obtain permission before entering upon lands or waters not under the jurisdiction of the Division of Aquatic Resources (see "C", General Conditions, page 2 of this permit).
7. Written approval must be obtained from the Division prior to purchasing or any other acquisition of regulated organisms (regardless of origin) alive from any other party. The REPORT OF COLLECTING (Page 6.) shall include names of sellers and Commercial Marine License numbers for all organisms purchased alive.
8. This permit does not by implication authorize the primary permittee or any designated assistant to engage in any other activity if in violation of any other State, Federal or County law, regulation or ordinance.
9. The primary permittee or a designated assistant responsible for the field collecting activity shall notify the Division of Conservation and Resources Enforcement at least 48 hours in advance of any field collecting activity and provide such information as: location; date; time; and number of persons to be involved. Telephone - Honolulu 587-0077; Hawaii 974-6208; Maui 984-8110; Kauai 274-3521; or Molokai 567-6618.

LAURA H. THIELEN, Chairperson  
Chairperson of Land and Natural Resources

cc: (x) DOCARE  
(x) Special Agent in Charge,  
USFWS, Honolulu

SPECIAL

ACTIVITY Permit No. 2008-100

## REPORT OF COLLECTING AND OTHER ACTIVITIES

Results of all activities performed under authority of this permit must be reported on this form (or copies) within one month after the permit expires (see first page). Use as many sheets as you need. Submit the report to the Division of Aquatic Resources at 1151 Punchbowl Street, Room 330, Honolulu, HI 96813.

Date	Location	Common or Scientific Name	Quantity Collected*	Disposition of Specimens
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Signature of PermitteeDate 

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\*If salvaged (collected because the specimen was dead or injured already), please detail circumstances: condition (dead, or describe extent of injury), how or from whom the specimen was obtained.

SPECIAL ACTIVITY  
PERMIT NO. 2008-100


## SIGNATURE AND ACKNOWLEDGEMENT

By my signature below, I attest that I understand the general conditions (Items A-M on Page 2) and any special conditions (Nos. 1 through 9 on pages 4 and 5) to Special Activity Permit No. 2008-100. Further, I agree to abide by all of these conditions when collecting under authority of this permit.

PRINCIPAL PERMITTEE:

  
BRUCE S. ANDERSON

## DESIGNATED ASSISTANTS:

Signature: 


Print Name: Paul Ahina

Signature: 

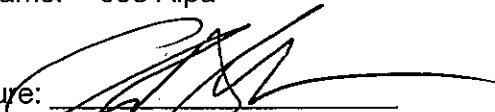
Print Name: Kimberly Falinski

Signature: 

Print Name: Joe Aipa

Signature: 

Print Name: Alan Friedlander

Signature: 

Print Name: Chad Callan

Signature: 

Print Name: Gary Germano

Signature: 

Print Name: Robert Cantrell

Signature: 

Print Name: John Ginoza

Signature: 

Print Name: Melissa Carr

Signature: 

Print Name: Gary Karr

Signature: 

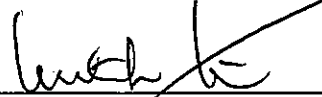
Print Name: Lytha Conquest

Signature: 

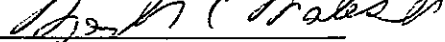
Print Name: Charles Laidley

Signature: 

Print Name: Don Dela Pena

Signature: 

Print Name: Ken Liu

Signature: 

Print Name: Frank Falesch

Signature: 

Print Name: Eric Martinson



Signature: Augustin Molnar

Print Name: Augustin Molnar

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: D. Moss

Print Name: Dustin Moss

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Shaun Moss

Print Name: Shaun Moss

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Tom Ogawa

Print Name: Tom Ogawa

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Clete Otoshi

Print Name: Clete Otoshi

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Kim Pinkerton

Print Name: Kim Pinkerton

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Scott Naguwa

Print Name: Scott Naguwa

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: David Ziemann

Print Name: David Ziemann

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: Kimberlee Harding

Print Name: KIMBERLEE HARDING

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**OCEANIC INSTITUTE**  
**ATTACHMENT TO SPECIAL ACTIVITY PERMIT SP. 2008 -100**  
**NAMES AND APPROXIMATE NUMBERS OF SPECIMENS TO BE COLLECTED**

Aholehole	5,100	Omilu	1,000
Akule	2,000	Onaga	20
Amam'ama	1,000	Opae Ula ( <i>Halocaridins rubra</i> )	1,000
Awa	1,000	Opakapaka	20
Awaawa,	500	Opelu	1,000
Bigeye Tuna	50	O'io	100
Bivalves (Japanese oyster)	30	O'opu	500
Bivalves (Tellins)	50	Pa'u'u	100
Black Sea Cucumber	500	Pipipi	500
Box Crabs	100	Potter's Angelfish	100
Brittle Stars	500	Roi (blue spot grouper)	250
Cardinalfish	50	Sand Turtles	500
Christmas Wrasse	100	Sardine	500
Collector Urchin	500	Sea Hares & Slugs	50
Coral Bandit Shrimp	50	Sea Horses	25
Coralline Algae	300 g	Shingle Urchin	100
Cowry spp.	500	Shrimp	500
Crustaceans (various crabs)	300	Sleeper Goby ( <i>Eleotris sandwicensis</i> )	200
Echinoderms (Sea Star)	30	Slipper Lobster	50
Ehu	50	Sponges ( <i>Desmospongiae</i> )	200 g
Enenue	50	Snails ( <i>Conus</i> sp.)	100
Feather Duster Worm	250	Snails (pipi, Black Nerite)	50
Flame Angelfish	50	Snails (Opihi)	30
Hapu'upu'u ( <i>Epinephelus quemus</i> )	20	Stony Corals ( <i>Cnidarians</i> )	300 g
Hawaii Flame Wrasse	50	Surgeon Fish (Maiko, Kole, etc.)	500
Hermit Crabs	500	Ta'ape	500
Hoku kai ( <i>Linckia</i> sp.)	250	Tilapia	100
Kahala	500	To'au	500
Kala	500	Uhu	500
Kalekale ( <i>Pristipomoides sieboldi</i> )	20	Ukikiki or Gindai ( <i>Pristipomoides zonats</i> )	20
Kamanu	200	Uku	1,000
Kikakapu (Butterfly fish)	1,000	Ulua (white)	2,000
Kole	200	Upapalu	100
Kumu	1,000	Weke (white, Samoan, Oama)	1,100
Kupipi	50	Weke (red)	1,100
Lehi ( <i>Aphareus rutlans</i> )	50	Yellow Tang	1,000
Mahimahi	500	Yellowfin Tuna	50
Mamo	1,000	Zooplankton	2,000
Manini	1,500		
Menpachi	2,000	Polyps of Zoanthid	300
Moano	2,000	Polyps of Zoanthid 2	300
Moi and Moi li'i	6,000	Colonies of Soft Coral	100
Mu	1,000	(colony-approx. 20 polyps)	
Mullet (Chaptall's)	750	Live Rock*	maximum 1,000 lbs.
Mullet (white)	5,000		
Mullet (striped)	5,000	*1.	No more than 100 lbs will be collected from a single area;
Nabeta	5,000	*2.	Only loose material will be collected;
Namako	100	*3.	No living coral will be on the live rock.
Nehu	2,000		
Omaka	2,000		